

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL NO. 3:98CV394

CALVIN R. LUCKEY, and wife PEGGY G.)	
LUCKEY, <i>et al.</i>,)	
)	
This document pertains to:)	
)	
GENE A. SHIRES, and wife HELEN SHIRES;)	
ROGER FRANKLIN THOMAS and wife)	
ELLA SHINN THOMAS; and WILLIAM E.)	
SMITH,)	
)	
Plaintiffs,)	
)	
v.)	
)	
ACandS, INC., et al.,)	
)	
Defendants.)	

ORDER OF DISMISSAL

THIS MATTER is before the Court upon motion by Plaintiffs William E. Smith, Robert Franklin Thomas and wife, Ella Shinn Thomas, and Gene A. Shires and wife, Helen Shires, and Defendant, A.W. Chesterton Company, to dismiss, with prejudice, all claims of said Plaintiffs against that Defendant.

It appearing that grounds exist to permit said Plaintiffs to do so,

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that the parties' joint motion to dismiss is **ALLOWED**, and the claims of Plaintiffs William E. Smith, Robert Franklin Thomas and wife, Ella Shinn Thomas, and Gene A. Shires and wife, Helen Shires, against Defendant, A.W. Chesterton Company, are hereby **DISMISSED WITH PREJUDICE**.

Signed: January 18, 2007

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", written over a horizontal line.

Lacy H. Thornburg
United States District Judge

